



US Army Corps
of Engineers
Seattle District

Public Notice of Application for Permit

Regulatory Branch
Post Office Box 3755
Seattle, Washington 98124-3755
Telephone (206) 764-3495
ATTN: Suzanne Skadowski, Project Manager

Public Notice Date: January 6, 2006
Expiration Date: February 6, 2006
Reference: 200501087
Name: Alaska Marine Lines

Interested parties are hereby notified that an application has been received for a Department of the Army permit in accordance with Section 10 of the 1899 Rivers and Harbors Act and Section 404 of the Clean Water Act, for certain work described below and shown on the enclosed drawings.

APPLICANT: Alaska Marine Lines
5615 West Marginal Way Southwest
Seattle Washington 98106
ATTN: Rod Dewalt
Telephone: (206) 241-8778

AGENT: Spearman Engineering
Post Office Box 230
Bremerton Washington 98337
ATTN: Jay Spearman
Telephone: (360) 377-1630

LOCATION: In the Duwamish Waterway, at 5610 West Marginal Way Southwest, at Seattle, Washington.

WORK: As part of a barge terminal expansion, the applicant proposes to fill and thus eliminate an existing 1.34-acre graving dock. The graving dock is lined with concrete and steel sheet piles and is connected to the waterway by a segmented wall of removable steel sheet piles. The graving dock will first be drained of all water and the sheet pile gate will be structurally strengthened from the inside of the dock. The graving dock will then be filled with up to 41,150 cubic yards of clean structural soil. Finally, the filled area will be paved over and used as a container storage area. The paved storage area will include a stormwater drainage system.

PURPOSE: The purpose of the proposed work is to expand the freight barge terminal facility to accommodate the storage and handling of containers.

ADDITIONAL INFORMATION: The project occurs within the Lower Duwamish Superfund site designated by the US Environmental Protection Agency.

ENDANGERED SPECIES: Section 7 of the Endangered Species Act requires federal agencies to consult with the National Marine Fisheries Service (NMFS) and U.S. Fish and Wildlife Service on all actions that may affect a listed threatened or endangered species or any designated critical habitat. The Puget Sound Chinook (*Oncorhynchus tshawytscha*), coastal-Puget Sound bull trout (*Salvelinus confluentus*), Steller sea lion (*Eumetopias jubatus*), marbled murrelet (*Brachyramphus marmoratus*), and bald eagle (*Haliaeetus leucocephalus*), listed threatened in Washington state, and the Southern resident killer whale (*Orcinus orca*), Leatherback sea turtle (*Dermochelys coriacea*), and humpback whale (*Megaptera movaeangliae*), listed

endangered in Washington state, may occur in the project area. For Chinook, bull trout, and the marbled murrelet, critical habitat has been designated. After receipt of comments from this public notice, the U.S. Army Corps of Engineers (Corps) will evaluate the potential impacts to these species.

ESSENTIAL FISH HABITAT: The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996, requires all Federal agencies to consult with the NMFS on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). The proposed action would impact EFH for Pacific salmon, groundfish, and coastal pelagic species in the project area. If the Corps determines that the proposed action may adversely affect EFH for these species, the Corps will initiate consultation with the NMFS. The Corps' final EFH determination is subject to review by and coordination with the NMFS.

CULTURAL RESOURCES: The District Engineer has reviewed the latest published version of the National Register of Historic Places, lists of properties determined eligible and other sources of information. There are no recorded historic properties within the permit area. The permit area has been so extensively modified by modern development that little likelihood exists for the proposed project to impinge upon an undisturbed historic property. The District Engineer invites responses to this public notice from Native American Nations or tribal governments; Federal, State, and local agencies; historical and archeological societies; and other parties likely to have knowledge of or concerns with historic properties in the area. This public notice initiates consultation under Section 106 of the National Historic Preservation Act (36 CFR 800.4[a][3]), with any Tribe that has information or concerns with historic properties in the proposed permit area.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are conservation, economics, general environmental concerns, historic properties, fish and wildlife values, navigation, shoreline erosion and accretion, water quality, energy needs, safety, considerations of property ownership, and, in general, the needs and welfare of the people.

The U.S. Army Corps of Engineers is soliciting comments from the public; Native American Nations or tribal governments; Federal, State, and local agencies and officials; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for the work. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

The proposed discharge will be evaluated for compliance with guidelines promulgated by the Environmental Protection Agency under authority of Section 404(b)(1) of the Clean Water Act. These guidelines require an alternatives analysis for any proposed discharge of dredged or fill material into waters of the United States.

ADDITIONAL EVALUATION: The State of Washington is reviewing this work for consistency with the approved Washington Coastal Zone Management Program and for compliance with the applicable State and Federal water quality standards pursuant to Section 401 of the Clean Water Act.

This proposal is the subject of a Shorelines Substantial Development Permit number 3003301 being processed by the City of Seattle.

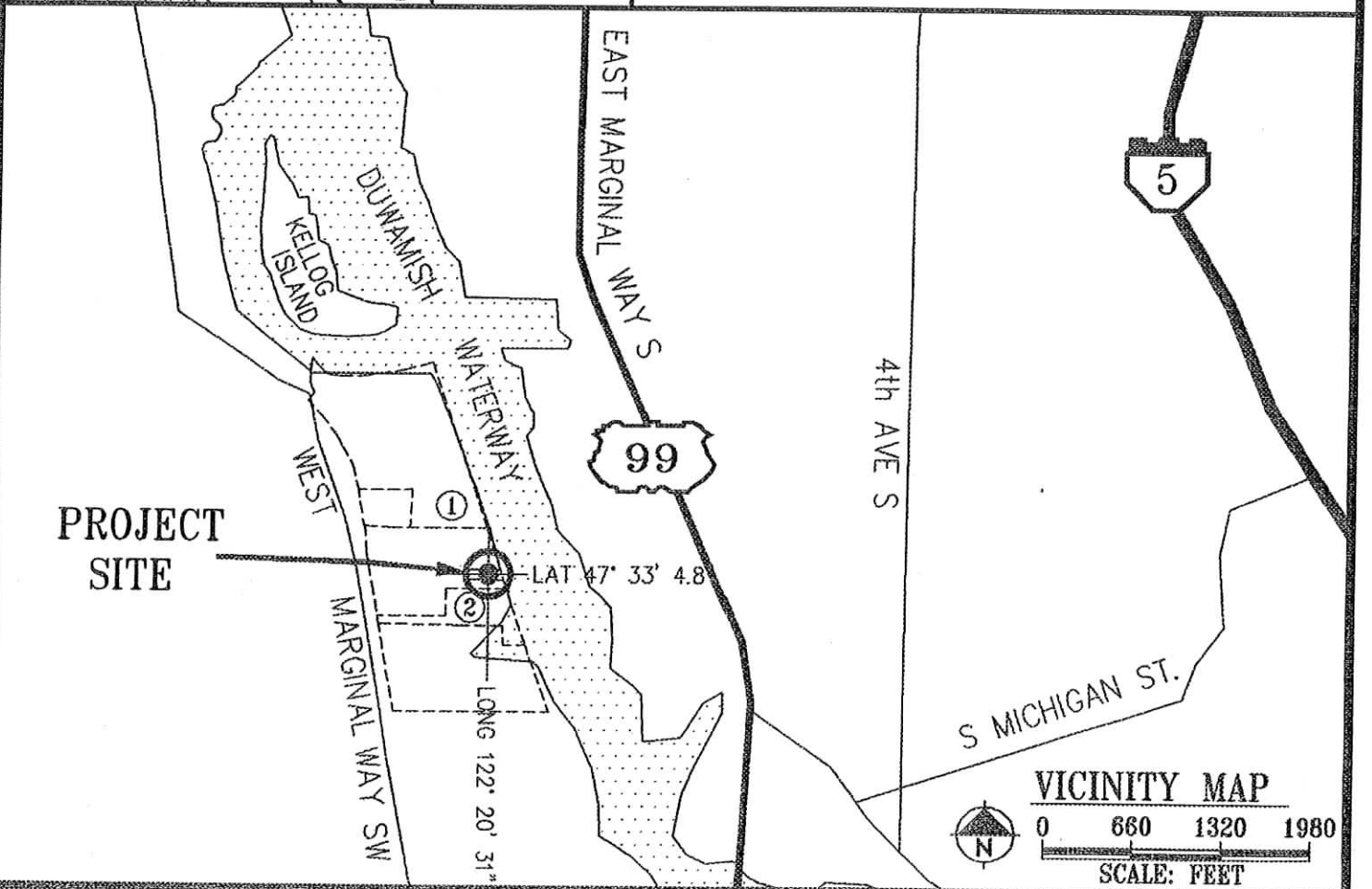
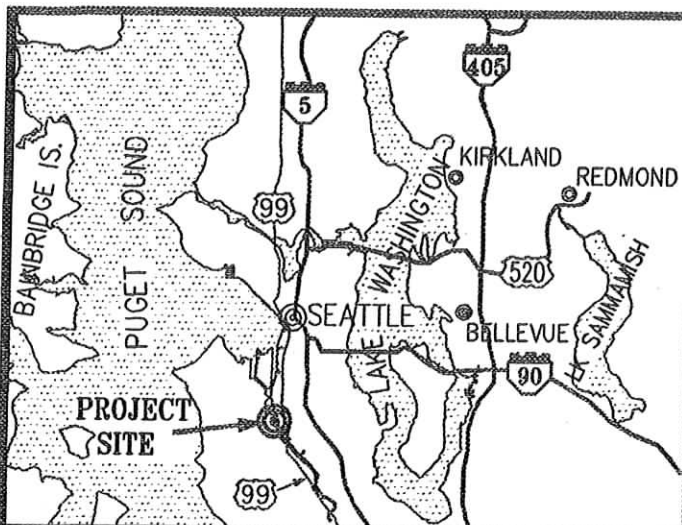
COMMENT AND REVIEW PERIOD: Conventional mail or e-mail comments on this public notice will be accepted and made part of the record and will be considered in determining whether it would be in the public interest to authorize this proposal.

In order to be accepted, e-mail comments must originate from the author's e-mail account and include on the subject line of the message the permit applicant's name and reference number as shown above. E-mail comments should be sent to Kathleen.S.Kunz@usace.army.mil. Conventional mail comments should be sent to U.S. Army Corps of Engineers, Regulatory Branch, Post Office Box 3755, Seattle, Washington 98124-3755.

All comments must include the permit applicant's name and reference number shown above, and the commentor's name, address, and phone number. All comments must reach this office, no later than the expiration date of this public notice to ensure consideration.

Encl

Drawings (7)



APPLICANT: Alaska Marine Lines
PURPOSE: Expand Existing Intermodal Terminal

APPLICATION #: 200501087

PROPOSED: Fill Exist Graving Dock

DATUM: MLLW

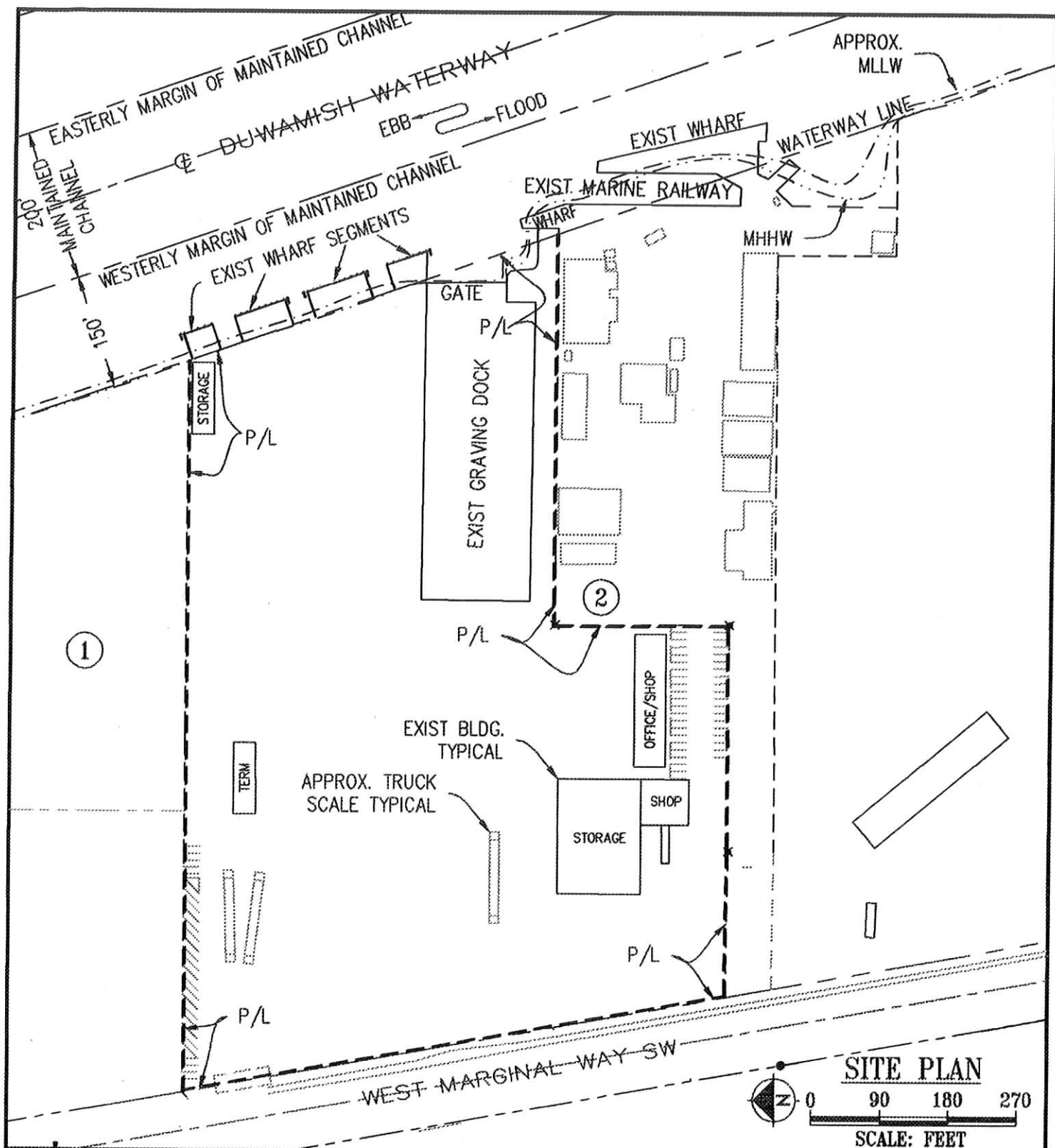
IN: Duwamish Waterway. CITY: Seattle
COUNTY: King STATE: Washington

ADJACENT PROPERTY OWNERS

1. LAFARGE Corporation
2. Duwamish Shipyards

DATE: 9/12/2005

SHEET 1 OF 4



APPLICANT: Alaska Marine Lines

PURPOSE: Expand Existing Intermodal Terminal

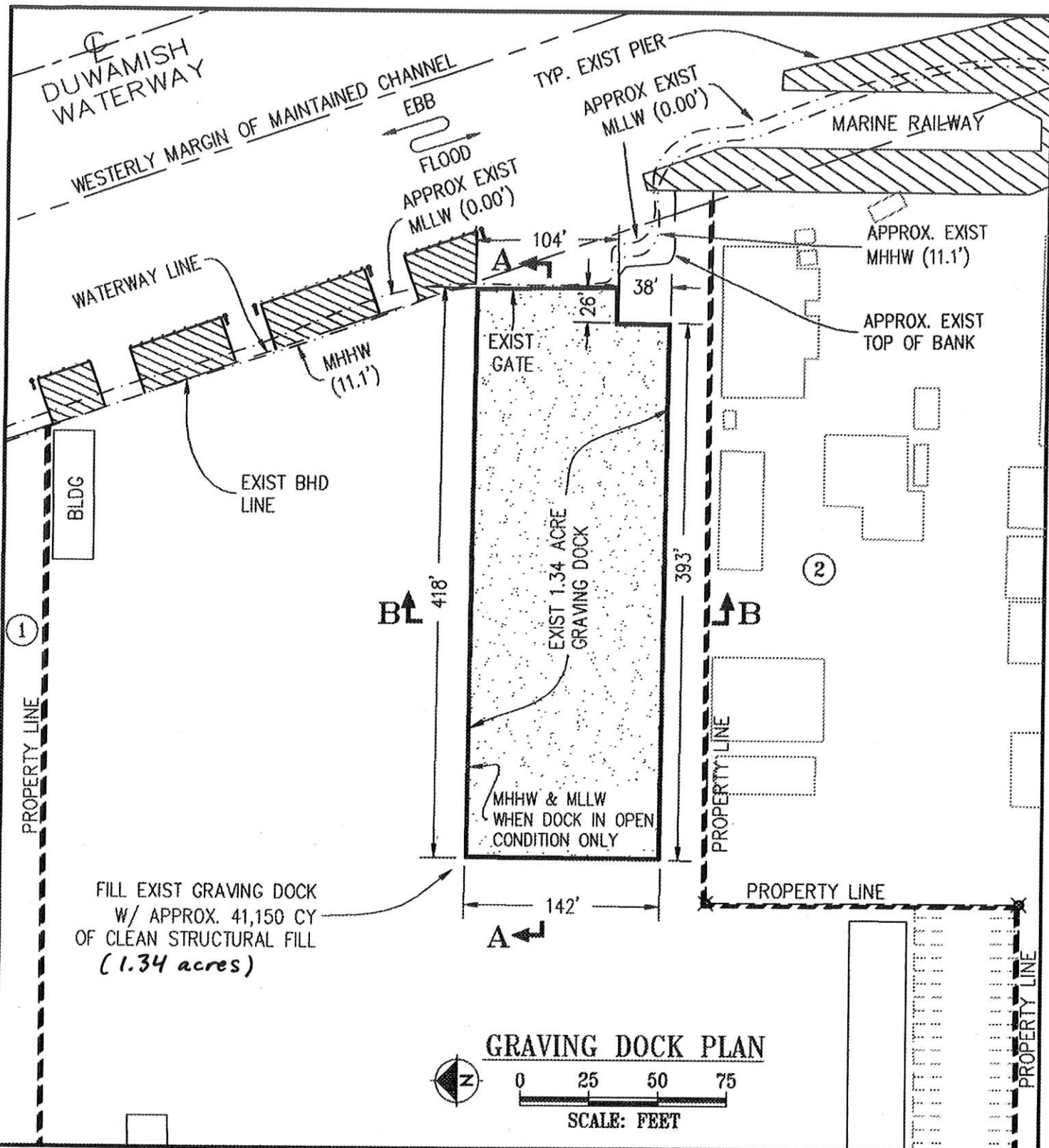
DATUM: MLLW

APPLICATION # 200501087

IN: Duwamish Waterway. CITY: Seattle
COUNTY: King STATE: Washington

DATE: 9/12/2005

SHEET 2 OF 4



APPLICANT: Alaska Marine Lines

PURPOSE: Expand Existing Intermodal Terminal

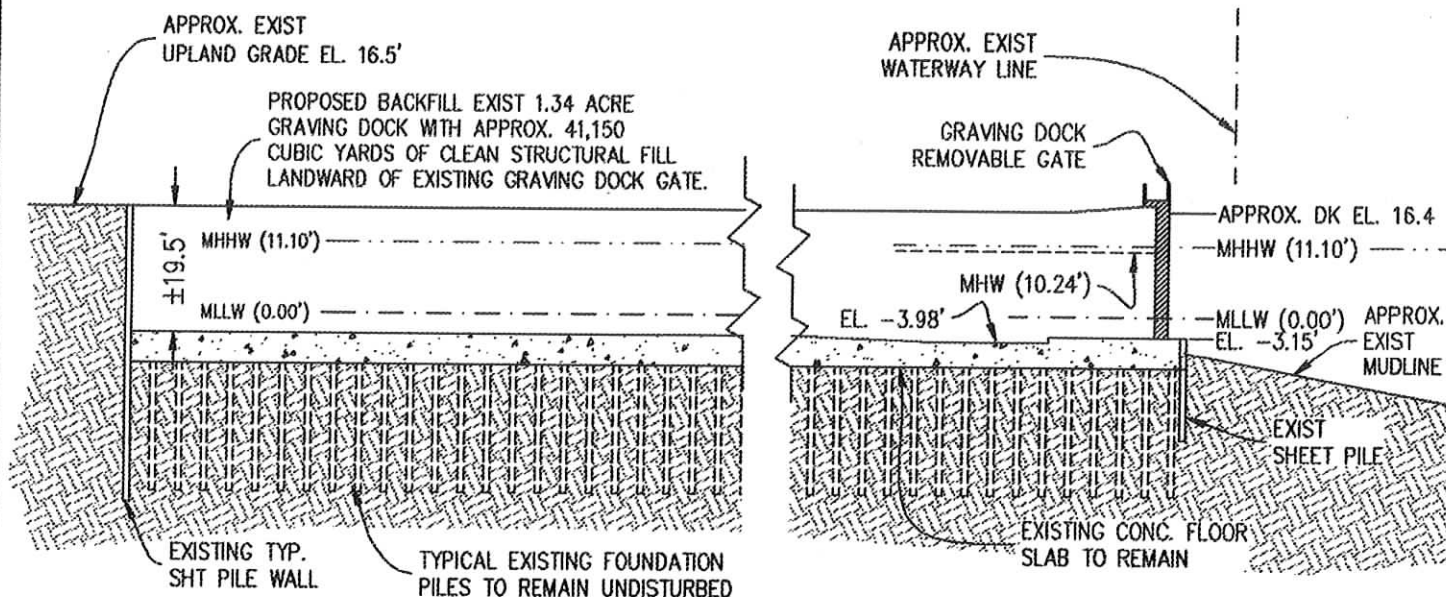
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APPLICATION #: 200501087

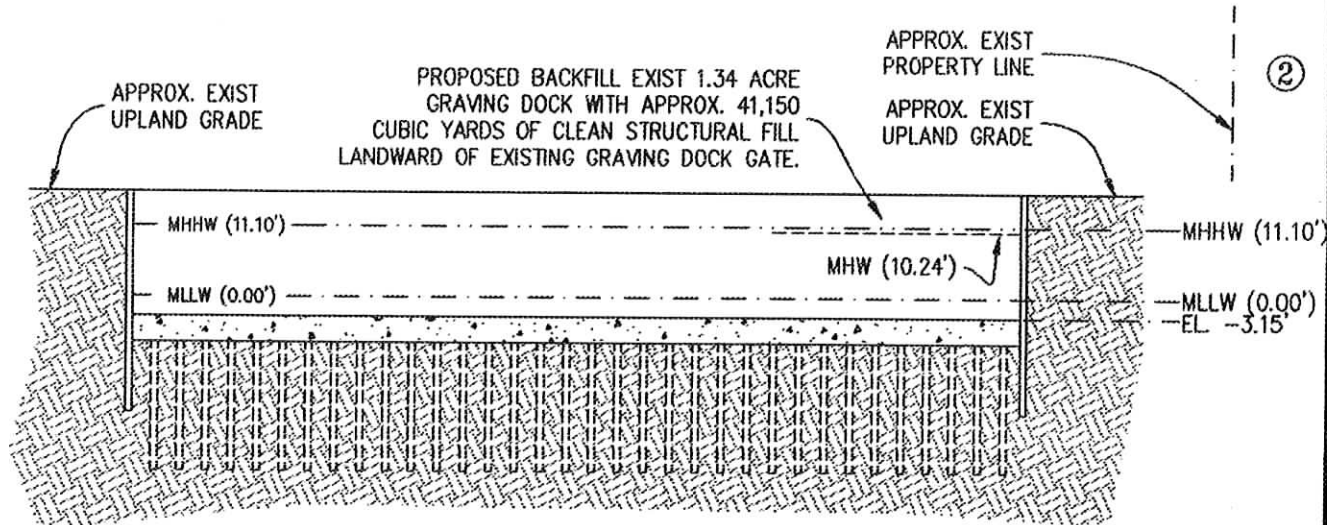
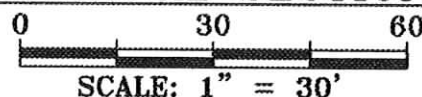
IN: Duwamish Waterway, CITY: Seattle
COUNTY: King STATE: Washington

DATE: 9/12/2005

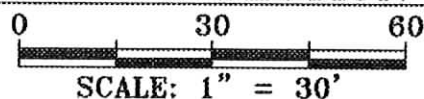
SHEET 3 OF 4



LONGITUDINAL SECTION A-A



TRANSVERSE SECTION B-B



APPLICANT: Alaska Marine Lines

PURPOSE: Expand Existing Intermodal Terminal

DATUM: MLLW

APPLICATION # 200501087

IN: Duwamish Waterway, CITY: Seattle
COUNTY: King STATE: Washington

DATE: 9/12/2005

SHEET 4 OF 4



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

*P.O. Box 47600 • Olympia, Washington 98504-7600
(360) 407-6000 • TDD Only (Hearing Impaired) (360) 407-6006*

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Notice of Application for
Water Quality Certification
and for
Certification of Consistency with the
Washington Coastal Zone Management Program

Date: January 6, 2006

Notice is hereby given that a request has been filed with the Department of Ecology, pursuant to the requirements of Section 401 of the federal Clean Water Act of 1977 (PL 95-217), to certify that the project described in the U.S. Army Corps of Engineers Public Notice No. 200501087 will comply with the Sections 301, 302, 303, 306, and 307 of the Act, and with applicable provisions of State and Federal water pollution control laws.

Notice is hereby given that a request has been filed with the Department of Ecology, pursuant to the requirements of Section 307© of the Federal Coastal Zone Management Act of 1972 (16 U.S.C. 1451), to certify that the above referenced project will comply with the Washington State Coastal Zone Management Program and that the project will be conducted in a manner consistent with that program.

Any person desiring to present views on the project pertaining to the project on either or both (1) compliance with water pollution control laws or (2) the project's compliance or consistency with the Washington State Coastal Zone Management Program may do so by providing written comments within 30 days of the above publication date to:

Federal Permit Coordinator
Department of Ecology
SEA Program
Post Office Box 47600
Olympia, Washington 98504-7600